

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02397-JEB**

CAUSE OF ACTION INSTITUTE v. UNITED STATES
DEPARTMENT OF COMMERCE
Assigned to: Judge James E. Boasberg
Cause: 05:552 Freedom of Information Act

Date Filed: 10/18/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**CAUSE OF ACTION INSTITUTE**

represented by **Russel James Valvo , III**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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V.

Defendant**UNITED STATES DEPARTMENT
OF COMMERCE**

represented by **Keri Lane Berman**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
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TERMINATED: 04/15/2019
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Robert Mark Norway
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LEAD ATTORNEY
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| Date Filed | # | Docket Text |
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| 10/18/2018 | <u>1</u> | COMPLAINT against UNITED STATES DEPARTMENT OF COMMERCE (Filing fee \$ 400 receipt number 0090-5745429) filed by Cause of Action Institute. |

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| | | (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Civil Cover Sheet, # <u>11</u> Summons, # <u>12</u> Summons, # <u>13</u> Summons)(Valvo, Russel) (Entered: 10/18/2018) |
| 10/18/2018 | <u>2</u> | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by Cause of Action Institute (Valvo, Russel) (Main Document 2 replaced on 10/23/2018) (jf). (Entered: 10/18/2018) |
| 10/18/2018 | <u>3</u> | NOTICE of Appearance by Lee A. Steven on behalf of Cause of Action Institute (Steven, Lee) (Entered: 10/18/2018) |
| 10/18/2018 | | Case Assigned to Judge James E. Boasberg. (zmd) (Entered: 10/23/2018) |
| 10/23/2018 | <u>4</u> | SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF COMMERCE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(jf) (Entered: 10/23/2018) |
| 10/23/2018 | <u>5</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/23/2018. Answer due for ALL FEDERAL DEFENDANTS by 11/22/2018. (Valvo, Russel) (Entered: 10/23/2018) |
| 10/23/2018 | <u>6</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/23/2018. (Valvo, Russel) (Entered: 10/23/2018) |
| 10/23/2018 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF COMMERCE served on 10/23/2018 (Valvo, Russel) (Entered: 10/23/2018) |
| 11/21/2018 | <u>8</u> | ANSWER to Complaint by UNITED STATES DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Exhibit Record of Fee Waiver)(Berman, Keri) (Entered: 11/21/2018) |
| 11/26/2018 | | MINUTE ORDER: The parties shall meet, confer, and submit a joint proposed briefing schedule by December 10, 2018. So ORDERED by Judge James E. Boasberg on 11/26/2018. (lcjeb2) (Entered: 11/26/2018) |
| 11/26/2018 | | Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 12/10/2018. (znbn) (Entered: 11/26/2018) |
| 12/10/2018 | <u>9</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Berman, Keri) (Entered: 12/10/2018) |
| 12/10/2018 | | MINUTE ORDER: The Court ADOPTS the parties' <u>9</u> Joint Status Report and ORDERS that they shall submit a further joint status report by January 10, 2019. So ORDERED by Judge James E. Boasberg on 12/10/2018. (lcjeb2) (Entered: 12/10/2018) |
| 12/10/2018 | | Set/Reset Deadlines: Joint Status Report due by 1/10/2019. (znbn) (Entered: 12/10/2018) |
| 01/07/2019 | <u>10</u> | Unopposed MOTION to Stay <i>Current Deadlines</i> by UNITED STATES DEPARTMENT OF COMMERCE (Berman, Keri) (Entered: 01/07/2019) |
| 01/08/2019 | | MINUTE ORDER GRANTING Defendant's <u>10</u> Motion to Stay. So ORDERED by Judge James E. Boasberg on 1/8/2019. (lcjeb2) (Entered: 01/08/2019) |
| 01/29/2019 | <u>11</u> | NOTICE <i>Restoration of Appropriations</i> by UNITED STATES DEPARTMENT OF COMMERCE (Berman, Keri) (Entered: 01/29/2019) |
| 01/29/2019 | | MINUTE ORDER ADOPTING <u>11</u> Notice of Restoration of Appropriations. The Court ORDERS that the parties shall submit a proposed Joint Status Report schedule by February 1, 2019. So ORDERED by Judge James E. Boasberg on 1/29/2019. (lcjeb1) (Entered: 01/29/2019) |
| 01/29/2019 | | Set/Reset Deadlines: Joint Status Report due by 2/1/2019. (znbn) (Entered: 01/30/2019) |

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| 02/01/2019 | <u>12</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Berman, Keri) (Entered: 02/01/2019) |
| 02/04/2019 | | MINUTE ORDER: The Court ADOPTS the parties' <u>12</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report by February 21, 2019. So ORDERED by Judge James E. Boasberg on 2/4/2019. (lcjeb2) (Entered: 02/04/2019) |
| 02/04/2019 | | Set/Reset Deadlines: Joint Status Report due by 2/21/2019. (znbn) (Entered: 02/04/2019) |
| 02/21/2019 | <u>13</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Berman, Keri) (Entered: 02/21/2019) |
| 02/21/2019 | | Set/Reset Deadlines: Joint Status Report due by 6/7/2019. (znbn) (Entered: 02/22/2019) |
| 02/22/2019 | | MINUTE ORDER: The Court ADOPTS the parties' <u>13</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report by June 7, 2019. So ORDERED by Judge James E. Boasberg on 2/22/2019. (lcjeb2) (Entered: 02/22/2019) |
| 04/15/2019 | <u>14</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Robert Mark Norway on behalf of UNITED STATES DEPARTMENT OF COMMERCE Substituting for attorney Keri L. Berman (Norway, Robert) (Entered: 04/15/2019) |
| 05/31/2019 | <u>15</u> | Unopposed MOTION for Extension of Time to <i>Complete Final Production</i> by UNITED STATES DEPARTMENT OF COMMERCE (Norway, Robert) (Entered: 05/31/2019) |
| 05/31/2019 | | MINUTE ORDER GRANTING Defendant's <u>15</u> Motion for Extension of Time. The Court ORDERS that Defendant shall complete its final production by June 3, 2019. So ORDERED by Judge James E. Boasberg on 5/31/2019. (lcjeb2) (Entered: 05/31/2019) |
| 05/31/2019 | | Set/Reset Deadlines: Defendant shall complete its final production by 6/3/2019. (znbn) (Entered: 05/31/2019) |
| 06/07/2019 | <u>16</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Norway, Robert) (Entered: 06/07/2019) |
| 06/07/2019 | <u>17</u> | Unopposed MOTION for Extension of Time to <i>Extend the Final Production Deadline Nunc Pro Tunc</i> by UNITED STATES DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Bogomolny Declaration, # <u>2</u> Proposed Order)(Norway, Robert) (Entered: 06/07/2019) |
| 06/07/2019 | | MINUTE ORDER: The Court ORDERS that: 1) Defendant's <u>17</u> Motion for Extension of Time is GRANTED; 2) Defendant shall make an interim production on June 13, 2019, and a final production on June 28, 2019; and 3) Per the parties' <u>16</u> Joint Status Report, they shall submit a further joint status report by July 9, 2019. So ORDERED by Judge James E. Boasberg on 6/7/2019. (lcjeb2) (Entered: 06/07/2019) |
| 06/07/2019 | | Set/Reset Deadlines: Defendant shall make an interim production on 6/13/2019, and a final production on by 6/28/2019. Status Report due by 7/9/2019. (znbn) (Entered: 06/10/2019) |
| 07/09/2019 | <u>18</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Norway, Robert) (Entered: 07/09/2019) |
| 07/09/2019 | | MINUTE ORDER: Per the parties' <u>18</u> Joint Status Report, the Court ORDERS that they shall file a further joint status report by July 30, 2019. So ORDERED by Judge James E. Boasberg on 7/9/2019. (lcjeb2) (Entered: 07/09/2019) |
| 07/09/2019 | | Set/Reset Deadlines: Joint Status Report due by 7/30/2019. (znbn) (Entered: 07/10/2019) |
| 07/29/2019 | <u>19</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Norway, Robert) (Entered: 07/29/2019) |
| 07/29/2019 | | MINUTE ORDER: The Court ADOPTS the parties' <u>19</u> Joint Status Report and ORDERS that they shall file a further joint status report by August 9, 2019. So ORDERED by Judge James E. Boasberg on 07/29/2019. (lcjeb3) (Entered: 07/29/2019) |

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| 07/29/2019 | | Set/Reset Deadlines: Joint Status Report due by 8/9/2019. (znbn) (Entered: 07/29/2019) |
| 08/09/2019 | <u>20</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Norway, Robert) (Entered: 08/09/2019) |
| 08/12/2019 | | MINUTE ORDER: The Court ADOPTS the parties' <u>20</u> Joint Status Report and ORDERS that: 1) Defendant shall file its motion for summary judgment by September 18, 2019; 2) Plaintiff shall file its cross-motion for summary judgment and opposition to Defendant's motion by October 16, 2019; 3) Defendant shall file its reply in support of its motion and opposition to Plaintiff's cross-motion by November 13, 2019; and 4) Plaintiff shall file its reply in support of its cross-motion by November 27, 2019. So ORDERED by Judge James E. Boasberg on 8/12/2019. (lcjeb3) (Entered: 08/12/2019) |
| 08/12/2019 | | Set/Reset Deadlines: Summary Judgment motion due by 9/18/2019; Cross-Motion and Opposition to Motion for Summary Judgment due by 10/16/2019; Opposition to Cross-Motion and Reply to Opposition to Motion for Summary Judgment due by 11/13/2019; Reply to Opposition to Cross-Motion due by 11/27/2019. (tg) (Entered: 08/12/2019) |